



1651

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kevin J. Thorne
James J. Benedict

Attorney Docket: SBI-073

S.N.: 09/746,921

Group 1651

FEB 06 2002

Filed: 12/22/00

TECH CENTER 1600/2900

For: Synthetic Alternatives to
Demineralized Bone Matrix
Additives

Examiner: Harry J. Guttman

Assistant Commissioner for Patents
Washington, D.C. 20231

**ELECTION AND RESPONSE TO OFFICE
ACTION DATED NOVEMBER 01, 2001**

This paper is filed in response to the Office Action mailed November 01, 2001 and having a one month shortened statutory response period. A one month extension of time is enclosed, extending the date of response to January 01, 2002. If any additional fees are due, please charge Sulzer Medica Deposit Account No. 09-0473.

REMARKS

In the Office Action, the Examiner has issued an election requirement under 35 U.S.C. § 121 between claims 1-10, drawn to a bone growth composition; claims 11-14, drawn to a process for making a bone growth composition, and claims 15-23, drawn to a process for inducing bone formation. According to the Examiner, the species are patentably distinct. Office Action at page 2 line 10.

Applicants hereby elect the species of a bone growth composition, claims 1-10 (Group I).

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Respectfully submitted.

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12/20/01

Date

12/20/01

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CERTIFICATE OF MAILING

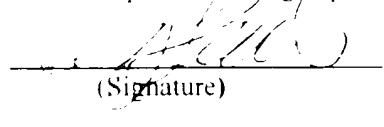
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Washington, DC 20231 on

December 20, 2001

(Date)

Amy Lewis

(Name of person making deposit)



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